

MINUTES

**UTAH
UTAH ELECTRICAL LICENSING BOARD
MEETING**

February 16, 2012

**Room 474 – 4th Floor – 9:00 am
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 9:04 am

ADJOURNED: 12:20 pm

Bureau Manager:
Board Secretary:

Dan S. Jones
Ann Naegelin

Board Members Present:

Dirk Burton, Chairman
Rich Kingery
Kevin Clubb
Harold Weight

Board Members Absent:

Todd Shaffer

Guests:

Renee McDonough, IEC of Utah
Bradley Stevens, IEC of Utah
Jake Dinsdale, Legislative Auditor
Marcell Trujillo, applicant
Travis Gates, supervisor for Marcell Trujillo
Carl Brailsford, UEJATC
George Halliday, IBEW
Brad Baylor, IBEW
John Bernardo, Yamas Controls
Trina Hansen, OWATC
Daniel Thompson, applicant
Shawn Hill, applicant

DOPL Staff Present:

Ray Walker, Regulatory and Compliance Officer
Wayne Holman, DOPL Investigations Supervisor
Robyn Barkdull, Construction CE Coordinator
Grant Allen, Construction CE Tech
Neena Bowen, Compliance Specialist

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

MINUTES:

The minutes from the January 2012 meeting were reviewed. Mr. Weight made a motion to approve the minutes as written. Mr. Kingery seconded the motion. Motion passed with three votes.

Continuing Education Update

The Board reviewed the list of approved continuing education courses approved since the January meeting. Item was noted with no action taken.

Mr. Clubb had some concerns with a course he audited. The course only took him a few minutes to complete, but a person receives four hours of profession continuing education. Mr. Clubb failed the exam on purpose but he was still able to complete the course. Mr. Clubb made a motion to disapprove the course from Builders License Training Institute. Mr. Weight seconded the motion. Motion passed with three votes in favor. Mr. Burton did not vote.

Probation Update

Ms. Bowen reported there are 28 electricians who are compliant with the terms of their probation and 7 electricians who are not in compliance with the terms of their probation. Non compliant individuals will be asked to meet with the Board for an interview.

Investigations Update

Mr. Holman gave an investigation report. Item was noted with no action taken.

APPOINTMENTS:

Marcell Trujillo
Apprentice Electrician

Mr. Trujillo met with the Board to discuss his application. Mr. Jones reviewed the criminal history for Mr. Trujillo. Mr. Weight made a motion to offer a probationary license for three years with the usual terms for alcohol and drug testing and treatment; and employer reports. Mr. Kingery seconded the motion. Motion passed by unanimous vote.

Jeremy Ward
Probation Interview

Jeremy Ward did not appear for his probation interview. Mr. Weight made a motion to file an Order to Show Cause for Jeremy Ward. Mr. Kingery seconded the motion. Motion passed by unanimous vote.

The Board is concerned with the length of time it takes to revoke a license for failure to comply with probation. Mr. Kingery made a motion to ask the Commission to consider allowing an Order to Show Cause be filed without an interview with the Electrical Board when a probationer is not compliant with their probation. Mr. Clubb seconded the motion. Motion passed by unanimous vote.

Daniel S Thompson
Master electrician applicant

The Board reviewed the out of state experience for Daniel Thompson. Mr. Thompson answered questions from the Board. Mr. Weight made a motion to approve Mr. Thompson for the master exam. Mr. Clubb seconded the motion. Mr. Clubb wanted the record to show he was basing his decision on Mr. Thompson's extensive experience not because he took an exam in California. Motion passed by unanimous vote.

Gilbert B Crutcher
Journeyman electrician applicant

Mr. Jones reviewed the application for Gilbert Crutcher. Mr. Weight made a motion to approve the Mr. Crutcher to take the journeyman exams. Mr. Clubb seconded the motion. Motion passed by unanimous vote.

Dall C. Flanders

Mr. Jones reviewed the experience submitted by Dall Flanders. Mr. Flanders was contacted by telephone for review of his application. Mr. Flanders explained his experience for the National Forest Service. Mr. Kingery made a motion to approve Mr. Flanders to sit for the journeyman exam. Mr. Weight seconded the motion. Motion passed by unanimous vote.

Lenny Sears
Journeyman reciprocal from Colorado

Mr. Jones reviewed the application and history for Lenny Sears. Mr. Sears was interviewed by telephone. Mr. Weight made a motion to offer a probationary license with two years probation with the usual alcohol and drug testing and employer reports. Mr. Kingery seconded the motion. Motion passed by unanimous vote.

Shawn Hill
Reinstate master electrician

Mr. Jones reviewed the history for Shawn Hill. Mr. Hill answered questions from the Board. Mr. Weight made a motion to recommend reinstatement of Mr. Hill's license with probation for one year at the journeyman level including quarterly reports from his supervisor; then after a year, Mr. Hill could come before the Board to determine whether or not his master license should be reinstated. Mr. Burton seconded the motion. Mr. Burton and Mr. Weight voted in favor of the motion. Mr. Kingery and Mr. Clubb voted

against the motion. The motion died with a split vote. Mr. Jones advised the Board that without a decision by the Board, the application will be reviewed by the Construction Services Commission.

Mr. Clubb made a motion that if the Construction Services Commission denied reinstatement they consider offering a stipulation to monitor Mr. Hill until he can demonstrate one year of lawful conduct, including not engaging in unlawful electrical work, and compliance with alcohol and drug treatment, and then have his license reinstated. Mr. Weight seconded the motion. Motion passed by unanimous vote.

Both alternatives will be reviewed by the Construction Services Commission.

DISCUSSION ITEMS:

Review Test Scores

The Board discussed a complaint the Division received about the practical exam. Mr. Clubb explained the section in question. After the discussion, the Board does not feel any changes need to be made to the practical exam.

The Board reviewed the exam scores with no action taken.

Head proctor for the practical exam

The Board discussed whether it is a conflict of interest for Brad Stevens to continue to be the head proctor for the practical exam since his appointment as the executive director of IEC of Utah. The Board does see this as a conflict. Mr. Stevens will continue to serve as the head proctor.

Update electrical exams for 2011 NEC

The following individuals will review the exams for changes that may be necessary for the 2011 NEC: Carl Brailsford, Gary Beckstrand, Ken Adams, Boyd Bindrup, Dave Byke and Dirk Burton. Mr. Burton will contact Dave Taylor to set up a time to review the exam with PSI.

Legislative Update

The Board discussed the current legislative sessions. Item was noted with no action taken.

Open and Public Meeting Act training

This item was reviewed.

Recognition of Craig Jackson

Mr. Weight made a motion to recognize Craig Jackson for his professionalism as past Director of the Division. The

Board members, past and present, offer their condolences to Mr. Jackson's family.

Board Member Service

Mr. Burton read from an e-mail he received from Mark Steinagel regarding his service on the Board. UCA 58-1-301(6) prohibits owners or faculty of professional schools that provide continuing education from serving on any Board. Mr. Burton advised the Board he will resign from the Board before the next meeting. Mr. Weight will serve as the chairman until the new member appointments have been made.

Mr. Clubb made a motion to thank Mr. Burton for serving on the Board as a member and chairman for several years. Mr. Weight seconded. Motion passed by unanimous vote.

ADJOURN:

Adjourned at 12:20 pm

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

March 15, 2012
Date Approved

Harold Weight
Chairperson, Utah Electrical Licensing Board

March 15, 2012
Date Approved

Dan S Jones
Bureau Manager, Division of Occupational & Professional
Licensing